

Notice of Allowability

Application No.

10/082,468

Examiner

Joseph E. Avellino

Applicant(s)

LOVELAND ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated 6/19/07.
2. ☒ The allowed claim(s) is/are 1-8, 10, 11, 13-20, 36 and 38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date herewith.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Lavar Oldham on June 25, 2007 (see attached Interview Summary).

The application has been amended as follows:

Claim 11, line 10: after the phrase "computer-readable" insert ---storage---.

Please CANCEL claim 12.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The prior art of record does not provide for, nor suggests providing for a document inclusion system for a mobile computing device operating over a wireless network which has a lower bandwidth than a wired network. The mobile user of the system creates an email and provides a list of documents to be attached to the email. The system permits the user to attach a plurality of documents to the email which might not necessarily be stored at the mobile device. Once the user attaches a document to the email, a document-inclusion instruction is attached to the email instead, without the user knowing any difference (i.e. the user still thinks that the actual document is attached to the email, instead of a document-inclusion instruction). The user sends the email to the server with the document-inclusion instruction attached to the email. The server interprets the instruction and determines if the document the instruction refers to is currently stored at the server. If so, then the document is attached to the email at the server and the message is sent to its intended destination. However, if the document is not currently stored at the server, the server checks to see if a previous version of the document is stored at the server. If so, then the server will notify a client that a previous version of the document has been found at the server and will query the client to see if this document is acceptable to the user. The document version is then attached to the email and then sent on its way. The document inclusion instruction includes an identification of the document, but not the document itself. The server determines if it has access to the document, and if not, the server causes the document to be sent from

the client to the server. If a newer version of the document resides at the server, the client is configured to be queried to determine if this will satisfy the user's request.

3. The closest prior art of record is the Eldridge II reference (USPN 6,397,261). Eldridge provides a secure document server which will replace large documents with tokens in order to reduce bandwidth on the network. The system will convert a document to a token as to where this document is stored and a key to retrieve it (cols. 7-8). The current invention is patently distinct over Eldridge II since it is the server which will retrieve the document based on the inclusion instruction, rather in Eldridge II, the mail client will decode the token and retrieve the document from the document server (col. 8, lines 35-50). The current invention permits the use of the invention by those with generic recipient email clients. No modification or proprietary software is required to interpret the token. The only modification needed is that the server gathers the attachment and generates an email as if the user actually sent the email with the attachment. Furthermore, Eldridge does not provide for the inclusion of a different version of the document. The token is generated based on a signature of the document and it is that actual document which is attached to the email. One of ordinary skill in the art would not find it obvious to modify Eldridge in order to modify the document token at the server since it would compromise security at the recipient end.

4. For these reasons, in conjunction with the other limitations of the independent claims, puts this case in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

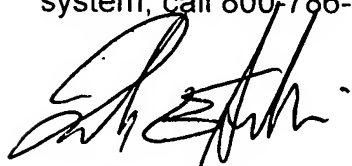
Art Unit: 2143

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Joseph E. Avellino, Examiner
June 26, 2007